IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 12492 of 2005

Between:

Smt. G. Vijaya Lakshmi, D/o. M. Laxmi Pathi,

Aged 40 years, Housewife, R/o.H.No. 1-2-606/41,

Diara, Banda Maisamma Nagar, Lower Tank Bund,

Hyderabad, Andhra Pradesh.

..... PETITIONER

AND

1 The Collector, Nampally, Hyderabad.
2 Mandal Revenue officer,

Himayath Nagar Mandal, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ more particularly one in the nature of Writ of Certiorari, directing the Mandal Revenue Officer Respondent No. 2 to declare the Petitioner as a peaceful owner of the Petition Schedule property and direct the Respondent No. 2 to handover the lock and key of the petitiners house bearing H.No. 1-2-606/41/A of Daira Village, Banda Maisammanagar, Lower Tank Band, Himayathnagar Mandal, Hyderabad and further direct

Respondent No. 2 to restore the petitioner and her family members into possession of the house along with the family members as the Petitioner is the rightful over of the said property as the Respondent No. 2 has already evicted the petitioner and her family members illegally along with the help of anti social elements by force from the petition schedule Property house bearing No. 1-2-606/41/A in plot No.2 total admeasuring 114.89 Sq.yards or 96.04 Sq.mtrs with a plinth area of 800 Sq. feet (RCC) in the Survey No. 28 Situated at Daira, Banda Maisamma Nagar, Lower Tank Bund, Hyderabad and seizing the said house without following due process of law as illegal, unjust, arbitral and unconstitutionally beside being violates of law as well settled cannons principle of natural justice.

Counsel for the Petitioner: MR.P.INDRA PRAKASH

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

Mr. Indra Prakash, learned counsel for the petitioner, seeks permission of the court to withdraw the writ petition with a liberty to file another writ petition.

Permission accorded. The writ petition is accordingly dismissed as withdrawn, with a liberty to file another writ petition. No costs.

Elipe Dharma Rao, J.

July 8, 2005

MAS

To:

1 The Collector, Nampally, Hyderabad.
2 Mandal Revenue officer,

Himayath Nagar Mandal, Hyderabad.

3 2 CCs to the Govt. Pleader for Revenue, A.P. High Court

Building, Hyderabad.

4 2 CD copies.

*Form-NIC-OGS/WP{**RLD**}*

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

SATURDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION(SR) NO : 56396 of 2005

Between:

Smt. G.Vijaya Lakshmi d/o M.Laxmi Pathi,

Aged 40 years, Occ: Housewife,

R/o:H.No.1-2-606/41, Diara, Banda

Maisamma Nagar, Lower Tank Bund, Hyderabad

Petitioner

AND

1. The Collector,

Nampally, Hyderabad.

2. Mandal Revenue Officer,

Himayath Nagar Mandal,

Hyderabad.

Respondent

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate, writ, order or direction more particularly one in the nature of writ of Certiorari as irrational, irregular, arbitrary, illegal, unconstitutional unjustified and unsustainable and pass such other order or orders.

Counsel for the Petitioner: MR.P.VEERA REDDY

Counsel for the Respondents 1 to 5: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :